

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

JOSE HERNANDEZ-SIERRA,

Defendant.

8:04CR486

ORDER

This matter is before the court on motion of defendant Jose Hernandez-Sierra (Hernandez-Sierra) to appoint new counsel (Filing No. 27). The court held a hearing on the motion on August 5, 2005. Hernandez-Sierra was present with his court-appointed counsel, Kellie P. Asaka. The United States was represented by Assistant U.S. Attorney Kimberly C. Bunjer. Irene Tomassini, a certified interpreter in the Spanish language, served as the interpreter by remote telephone hook-up. Following an *in camera* discussion with Hernandez-Sierra and Ms. Asaka, the court concluded the attorney-client relationship had ruptured to the point that new counsel should be appointed. Accordingly, Hernandez-Sierra's motion to appoint new counsel (Filing No. 27) is granted and substitute counsel will be appointed.

John E. Corrigan, 1411 Harney Street, Suite 100, Omaha, NE 68102, (402) 341-1020,
is appointed to represent Hernandez-Sierra for the remainder of these proceedings.

Ms. Asaka is given leave to withdraw as counsel for Hernandez-Sierra and shall forthwith provide Mr. Corrigan such materials as was provided Ms. Asaka by the government in the discovery phase of this matter along with such other materials gathered by Ms. Asaka which are necessary to the defense of Hernandez-Sierra in this matter.

IT IS SO ORDERED.

DATED this 5th day of August, 2005.

BY THE COURT:

s/Thomas D. Thalken

United States Magistrate Judge